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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OCT 06 2008

In re the Application of: **Junya Kaku**

Group Art Unit: 2169

Serial No.: **10/542,005**Examiner: **Vei-Chung Liang**Filed: **July 12, 2005**P.T.O. Confirmation No.: **8929**Docket: **050445**Date: **October 6, 2008**For: **DATA STRUCTURE OF MENU DISPLAY  
CONTROL DATA AND  
MENU DISPLAY DEVICE**SUBMISSION OF NOTICE OF APPEAL

Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450  
Sir:

The Applicant submitted a Second Amendment After Final Rejection on **October 3, 2008**, and paid an extension fee with that paper. Therefore, no extension fee is due with this paper. However, this is a petition for appropriate extension of time if needed and fees needed to enter this paper may be charged to Deposit Account No. 01-2340.

Respectfully submitted,

KRATZ, QUINTOS &amp; HANSON, LLP

  
Nick S. BromerAttorney for Applicant  
Reg. No. 33,478

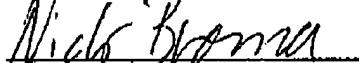
NSB/Irj  
Atty. Docket No. **050445**  
Suite 400  
1420 K Street, N.W.  
Washington, D.C. 20005  
(202) 659-2930

**23850**

PATENT &amp; TRADEMARK OFFICE

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571-273-8300) on October 6, 2008.

Nick Bromer (reg. no. 33,478)

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PAGE 02

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)				
		050445				
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] <u>October 6, 2008</u></p> <p>Signature <u>Nick S. Bromer</u></p> <p>Typed or printed name <u>Nick S. Bromer</u></p>						
<p>In re Application of <u>Junya Kaku</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number <u>10/542,005</u></td> <td style="width: 50%;">Filed <u>July 12, 2005</u></td> </tr> </table> <p>For <u>Data Structure of Menu Display ...</u></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Art Unit <u>2169</u></td> <td style="width: 50%;">Examiner <u>Wei-Chung Liang</u></td> </tr> </table>			Application Number <u>10/542,005</u>	Filed <u>July 12, 2005</u>	Art Unit <u>2169</u>	Examiner <u>Wei-Chung Liang</u>
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Art Unit <u>2169</u>	Examiner <u>Wei-Chung Liang</u>					
<p>Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <u>\$ 540.00</u></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$ _____</u></p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>01-2340</u>.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the</p> <p><input type="checkbox"/> applicant/inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>_____</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>_____</u></p> <p><u>Nick S. Bromer</u> Signature</p> <p><u>Nick S. Bromer</u> Typed or printed name</p> <p><u>202-659-2930</u> Telephone number</p> <p><u>October 6, 2008</u> Date</p> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p> <p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>						

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